

REMARKS

This application has been carefully reviewed in light of the Office Action dated October 1, 2003. Claims 1-11 remain pending in this application. Claims 1 and 11 are the independent claims. Favorable reconsideration is respectfully requested.

In response to the Office Action's objection to claim 9, Applicants respectfully believe the amendments to Claim 9 adequately respond to the objection and respectfully request its withdrawal.

On the merits, the Office Action rejected Claims 1-3 and 8-11 under 35 U.S.C. § 102(e) as being anticipated by Karasawa (U.S. Patent No. 6,091,740; hereinafter "Karasawa"). The Office Action also rejected Claims 4-6 under 35 U.S.C. § 103(a) as being unpatentable over Karasawa in view of Kobayashi (U.S. Patent No. 4,694,453; hereinafter "Kobayashi"). Applicants respectfully traverse the above rejections for at least the following reasons.

Karasawa fails to recite or suggest the star node containing a plurality of star interfaces which are assigned to at least one network node. Rather, Karasawa clearly recites in Col. 3, lines 28-46 that subscriber line terminal 2 "disposed in a telephone switching office" contains optical subscriber units 2A. Lines 41-42 recite (emphasis added): "[t]he star coupler 3 passively

combines signals, referred to below as upstream signals, from the optical network units 1-1 to 1-N into a single upstream signal sent to the subscriber line terminal 2 and passively branches signals... from the subscriber line terminal 2 to all of the optical network units 1-1 to 1-N." Thus, Karasawa separates the star coupler 3 from any optical subscriber units. This requires additional transmission of signal from the star coupler to OSU 2A.

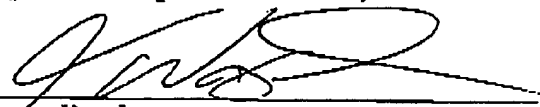
Consequently, the rejection is traversed at least because Karasawa fails to recite or suggest every limitation of Applicants' Claim 1.

Claim 11 recites a network substantially corresponding to Claim 1 and is believed patentable for at least the same reasons. In addition, Karasawa fails to recite or suggest a pilot signal, but rather recites PDS headers coupled to the payload which are transmitted at the same time. Thus, the rejection is traversed at least because Karasawa fails to recite or suggest all the limitations of Applicants' Claim 11.

Claims 2-10 depend from one or another of the independent claims discussed above and are believed patentable for at least the same reasons. Applicants respectfully believe Claims 2-10 to be independently patentable and request separate consideration of each claim. Applicants further believe the § 103 rejections of Claims 4-6 to be moot in light of the above remarks and request their withdrawal.

In view of the foregoing amendments and remarks, Applicants respectfully submits that the currently-pending claims are clearly patentably distinguishable over the cited and applied references. Accordingly, entry of this amendment, reconsideration of the rejections of the claims over the references cited, and allowance of this application is earnestly solicited.

Respectfully submitted,

By 
Aaron Waxler,
Reg. No. 48,027
Attorney
(914) 333-9608
February 2, 2004